

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS WELFARE AND)
PENSION FUNDS,)
Plaintiffs,)
Case No.: 2011 C 715
v.)
Judge Zagel
SELLERS & SELLERS ENTERPRISES) Magistrate Judge Cole
INC., an Illinois corporation,)
Defendant.)

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Plaintiff filed its original Motion for Judgment in Sum Certain on April 4, 2011.
2. On April 14, 2011 Plaintiff and Defendant appeared in court. Pursuant to the Court's direction, the parties met in an attempt to settle this matter. Payment scenarios were discussed with the Defendant and no settlement was reached and no monies paid towards the debt owed.
3. Suit was filed on February 1, 2011 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
4. Corporate service was made upon SELLERS & SELLERS ENTERPRISES, INC., an Illinois corporation upon the Secretary of State on March 7, 2011 and a copy of the proof of service was filed with the court on March 14, 2011.

5. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$8,338.39 Pension
\$10,941.00 Welfare
\$925.00 Attorneys fees
\$360.00 Court costs
\$20,564.39

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, SELLERS & SELLERS ENTERPRISES, INC., an Illinois corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$20,564.39.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

John J. Toomey 4/29/11
s/John J. Toomey
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Dated: April 29, 2011